

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

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SO. DIST. OF GA.

BRUCE MONROE GREER,

Plaintiff,

v.

CIVIL ACTION NO.: CV610-071

Warden HOOK; Warden DILL;
Warden SMITH; GEORGIA
DEPARTMENT OF CORRECTIONS;
Dr. ALSTON; and PRISON HEALTH
SERVICES, INC.,

Defendants.

ORDER

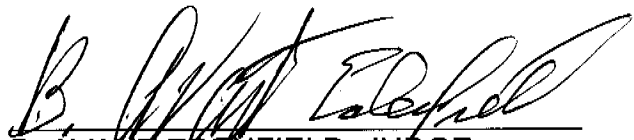
After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff agrees that the Magistrate Judge's Report properly recommended dismissal of Warden Hook, Warden Dill, Warden Smith, the Georgia Department of Corrections, and Prison Health Services as defendants.

Plaintiff disagrees with the Magistrate Judge's recommendation that Dr. Alston be dismissed. Plaintiff believes Hayes v. Snyder, 546 F.3d 516 (7th Cir. 2008), holds that a difference in opinion about the course of medical treatment evidences a constitutional violation. The holding Plaintiff cites in Hayes was a reversal of summary judgment based on the plaintiff's allegations that the defendant physician: (1) did not provide even minimal pain treatment, (2) never prescribed prescription strength pain killers, and (3) rejected prisoner's request to see a specialist. Id. at 524-26. In the instant claim,

Plaintiff only alleges that he disagrees with Defendant Alston's reduction of the dosage of Plaintiff's pain medication. Plaintiff's allegations against Dr. Alston do not rise to the level of a constitutional violation.

Plaintiff's Objections are without merit and are **OVERRULLED**. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's complaint is **DISMISSED**. The Clerk is authorized and directed to enter the appropriate Judgment of dismissal.

SO ORDERED, this 23rd day of November, 2010.



B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA